

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

ZACHERY EASTER

Plaintiff,

v.

BOWIE COUNTY CORRECTIONAL
CENTER

Defendant.

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CIVIL ACTION NO. 5:24-CV-19-RWS-JBB

ORDER OF DISMISSAL

Plaintiff Zachery Easter, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit complaining of alleged deprivations of his constitutional rights. Docket No. 1. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

On January 23, 2024, the Magistrate Judge issued a Report recommending that the lawsuit be dismissed without prejudice for failure to state a claim upon which relief may be granted and failure to prosecute or to obey an order of the Court. Docket No. 8. Plaintiff received a copy of this Report on April 3, 2024, but has filed no objections. *See* Docket No. 9. Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge's proposed findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203- RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct.

See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

ORDERED that the Report of the Magistrate Judge (Docket No. 8) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim upon which relief may be granted and failure to prosecute or to obey an order of the Court.

So ORDERED and SIGNED this 21st day of June, 2024.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE